

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants | : | Shults, et al. |
| App. No | : | 09/447,227 |
| Filed | : | November 22, 1999 |
| For | : | DEVICE AND METHOD FOR DETERMINING ANALYTE LEVELS |
| Examiner | : | Robert L. Nasser |
| Art Unit | : | 3735 |
| Conf # | : | 3546 |

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**Mail Stop - AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This is in response to the final Office Action dated December 8, 2009, for which a response is due on March 8, 2009. Applicants submit herewith a Request for Continued Examination (RCE) along with this Amendment. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.